

Proposed Regulatory Language

**Section 7.40, Title 14, CCR, is amended to read:<sup>1</sup>**

§ 7.40. Alphabetical List of Hatchery Trout, Hatchery Steelhead, and Salmon Waters with Special Fishing Regulations.

. . . [No changes to subsections (a) through (b)(49)] . . .

(50) Klamath River Basin Regulations.

All Anadromous~~anadromous~~ Waters of the Klamath River Basin ~~Downstream of Iron Gate and Trinity River downstream of Lewiston dams~~Dam. This subsection applies only to waters of the Klamath River Basin that are accessible to anadromous salmonids. This subsection does not apply to waters of the Klamath River Basin that are inaccessible to anadromous salmon and trout, ~~portions of the Klamath River system upstream of Iron Gate Dam,~~ portions of the Trinity River system upstream of Lewiston Dam, and the Shasta River and tributaries upstream of Dwinell Dam.

(A) Restrictions and Requirements.

1. Only barbless hooks may be used. (For definitions regarding legal hook types, hook gaps, and rigging see ~~Chapter 2, Article 1,~~ Section 2.10.)
2. During closures to the take of adult salmon, it shall be unlawful to remove any adult Chinook Salmon from the water by any means.
3. See Section 1.74 for sport fish report card requirements.

(B) General Area Closures.

1. No fishing is allowed within 750 feet of any department fish=counting weir.
2. No fishing is allowed from the Ishi Pishi Road ~~bridge~~ Bridge upstream to and including Ishi Pishi Falls from ~~Aug. August~~ August 15 through ~~Dec. December~~ December 31. Exception: members of the Karuk Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand=held dip nets.
3. No fishing is allowed from ~~Sep. September~~ September 15 through ~~Dec. December~~ December 31 in the Klamath River within 500 feet of the mouths of the Salmon, Shasta, and Scott rivers, and Blue, Creek Bogus, Fall and Shovel creeks.
4. No fishing is allowed from ~~Jun. June~~ June 15 through ~~Sep. September~~ September 14 in the Klamath River from 500 feet above the mouth of Blue Creek to 500 feet downstream of the mouth of Blue Creek.

(C) Klamath River Basin Possession Limits.

1. Trout Possession Limits.
  - a. The Brown Trout possession limit is 20.

b. The hatchery trout or hatchery steelhead possession limits are as follows:

(i) Klamath River: 4 hatchery trout or hatchery steelhead.

(ii) Trinity River: 4 hatchery trout or hatchery steelhead.

2. Chinook Salmon Possession Limits.

a. Klamath River downstream of the Highway 96 ~~bridge~~ Bridge at Weitchpec from ~~Jul. July~~ July 1 to ~~Aug. August~~ August 14 and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from ~~Jul. July~~ July 1 to ~~Aug. August~~ August 31: 2 Chinook Salmon.

b. Klamath River from August 15 to December 31 and Trinity River from September 1 to December 31: Closed to the take and possession of Chinook Salmon.

(D) Klamath River Basin Chinook Salmon Quotas. Klamath River ~~fall-run~~ fall-run Chinook Salmon take is regulated using quotas. Accounting of the tribal and ~~non-tribal~~ non-tribal harvest is closely monitored from ~~Aug. August~~ August 15 through ~~Dec. December~~ December 31 each year. Quota areas are noted in subsection 7.40(b)(50)(E) with "~~Fall-run~~ Fall-run Quota" in the *Open Season and Special Restrictions* ~~column~~ column.

1. Quota for Entire Basin.

***The 2023 Klamath River Basin quota is 0 Klamath River fall-run Chinook Salmon. The Klamath River Basin is closed to the take and possession of Chinook Salmon through December 31, 2023.*** The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (Note: A department status report on progress toward the quotas for the various river sections is updated weekly, and available by calling 1-800-564-6479.)

2. Subquota Percentages.

a. The subquota for the Klamath River upstream of the Highway 96 ~~bridge~~ Bridge at Weitchpec and the Trinity River is 50% of the total Klamath River Basin quota.

(i) The subquota for the Klamath River from Lakeview Road Bridge near 3,500 feet ~~downstream of the Iron Gate Dam~~ to the Highway 96 ~~bridge~~ Bridge at Weitchpec is 17% of the total Klamath River Basin quota.

(ii) The subquota for the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West ~~bridge~~ Bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota.

(iii) The subquota for the Trinity River main stem downstream of the Denny Road ~~bridge~~ Bridge at Hawkins Bar to the confluence with the Klamath River is 16.5% of the total Klamath River Basin quota.

b. The subquota for the lower Klamath River downstream of the Highway 96 ~~bridge~~ Bridge at Weitchpec is 50% of the total Klamath River Basin quota.

(i) The ~~Spit Area~~ spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 ~~bridge~~ Bridge.

(E) Klamath River Basin Open Seasons and Bag Limits. All anadromous waters of the Klamath River Basin are closed to all fishing all year except those areas listed in the following table. Bag limits are for trout and Chinook Salmon in combination unless otherwise specified.

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit</i>
1. Bogus Creek and tributaries	<p><u>Option 1. All anadromous portions of Bogus Creek. Closed to all fishing all year.</u></p> <p><u>Option 2. Fourth Sat. Saturday</u> in May through <del>Aug.</del> <u>August</u> 31. Only artificial lures with barbless hooks may be <del>used</del> <u>used</u>.</p>	<p><u>Option 2. 2 hatchery trout or hatchery steelhead**.</u></p>

<p>2. Klamath River main stem from <u>the California-Oregon state line 3,500 feet downstream of Iron Gate Dam</u> to the mouth.</p>		
<p>a. <u>Klamath River from California-Oregon state line to Copco Road Bridge at Copco.</u></p>	<p><u>Option 1. Closed to all fishing all year.</u></p> <p><u>Option 2. November 1 through February 28. Only artificial lures with barbless hooks may be used.</u></p> <p><u>Option 3. Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p> <p><u>Option 4. November 1 through February 28 and fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p>	<p><u>Option 2. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p> <p><u>Option 3. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p> <p><u>Option 4. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p>
<p><u>1. Shovel Creek main stem downstream of barrier located approximately 2.75 miles upstream from Ager Beswick Road</u></p>	<p><u>Option 1. All anadromous portions of tributaries. Closed to all fishing all year.</u></p> <p><u>Option 2. Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p>	<p><u>Option 2. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p>

<p><u>b. Klamath River from Copco Road Bridge at Copco to Lakeview Road Bridge near Iron Gate.</u></p>	<p><u>Option 1. Closed to all fishing all year.</u></p> <p><u>Option 2. November 1 through February 28. Only artificial lures with barbless hooks may be used.</u></p> <p><u>Option 3. Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p> <p><u>Option 4. November 1 through February 28 and fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p>	<p><u>Option 2. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p> <p><u>Option 3. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p> <p><u>Option 4. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p>
<p><u>1. Fall Creek downstream of barrier located approximately 1 mile upstream from Copco Road</u></p>	<p><u>All anadromous portions of tributaries. Closed to all fishing all year.</u></p>	
<p><u>2. Jenny Creek downstream of barrier located approximately 2 miles upstream from Copco Road</u></p>	<p><u>Option 1. All anadromous portions of tributaries. Closed to all fishing all year.</u></p> <p><u>Option 2. Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p>	<p><u>Option 2. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u> <u>0 hatchery trout or hatchery steelhead**</u></p>

<p><u>3. Scotch Creek main stem downstream of barrier located approximately 3/4 mile upstream from Copco Road</u></p>	<p><u>Option 1. All anadromous portions of tributaries. Closed to all fishing all year.</u></p> <p><u>Option 2. Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.</u></p>	<p><u>Option 2. <del>0 Chinook Salmon.</del> Closed to the take and possession of Chinook Salmon.</u>  <u>0 hatchery trout or hatchery steelhead**</u></p>
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<p><u>c. Klamath River from Lakeview Road Bridge near Iron Gate to I-5 Bridge.</u></p>	<p><u>Option 1. Closed to all fishing all year.</u></p> <p><u>Option 2. August 15 through February 28. Only artificial lures with barbless hooks may be used.</u></p> <p><u>Option 3. January 1 to August 14.</u></p> <p><u>Fall-run Chinook Salmon: August 15 to December 31.</u></p> <p><u>Option 4. January 1 to August 14.</u></p> <p><u>Fall-run Quota: [0-11,492] Chinook Salmon August 15 to December 31.</u></p>	<p><u>Option 2. 0 Chinook Salmon. 0 hatchery trout or hatchery steelhead**</u></p> <p><u>Option 3. 2 hatchery trout or hatchery steelhead**</u></p> <p><del>[0-4] Chinook Salmon – of which 0 can be greater than [20-24] inches total length.</del> <u>0 Chinook Salmon. 2 hatchery trout or hatchery steelhead**</u></p> <p><u>Option 4. 2 hatchery trout or hatchery steelhead**</u></p> <p><u>[0-4] Chinook Salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained until the subquota is met, then 0 fish over [20-24] inches total length. 2 hatchery trout or hatchery steelhead**</u></p>
<p><u>ad. Klamath River from I-5 Bridge 3,500 feet downstream of the Iron Gate Dam to the Highway 96 Bridge at Weitchpec.</u></p>	<p><u>January 1 to August 14.</u></p> <p><b><u>Fall Run Quota: 0 Chinook Salmon Aug. August 15 through Dec. December 31, 2023</u></b></p>	<p><u>2 hatchery trout or hatchery steelhead**.</u></p> <p>Closed to the take and possession of Chinook Salmon.</p> <p><u>2 hatchery trout or hatchery steelhead**.</u></p>

<p>be. Klamath River downstream of the Highway 96 Bridge at Weitchpec.</p>	<p><del>Jan.</del> <u>January 1 to Jun.</u> <u>June 30.</u></p>	<p>2 hatchery trout or hatchery steelhead**.</p>
	<p><del>Jul.</del> <u>July 1 to Aug.</u> <u>August 14.</u></p> <p><b><i>Fall-run Quota: 0 Chinook Salmon Aug. <u>August 15 through Dec. December 31, 2023.</u></i></b></p> <p>Fall-run Quota Exception: Spit Area (within 100 yards of the channel through the sand pit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the total Klamath River Basin quota has been taken.</p> <p>All legally caught Chinook Salmon must be retained. Once the adult (greater than 23 inches) component of the total daily bag limit has been retained, anglers must cease fishing in the spit area.</p>	<p>1 Chinook Salmon. 2 hatchery trout or hatchery steelhead**.</p> <p><b><i>Closed to the take and possession of Chinook Salmon.</i></b></p> <p>2 hatchery trout or hatchery steelhead**.</p>

. . . [No changes to subsections (b)(51) through (b)(123)] . . .

\* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

\*\*Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, 316.5, 399 and 2084, Fish and Game Code. Reference: Sections 200, 205, 265, 270, 316.5 and 2084, Fish and Game Code.



Section 7.50, Title 14, CCR, is amended to read:

**§ 7.50. Alphabetical List of Trout Waters with Special Fishing Regulations.**

*. . . [No changes to subsections (a) through (b)(72)] . . .*

<b>Body of Water</b>	<b>Open Season and Special Restrictions</b>	<b>Daily Bag and Possession Limit</b>
(73) <u>Non-anadromous tributaries of the Klamath River above Lakeview Road Bridge-main stem and all tributaries above Iron Gate Dam.</u>	<del>Sat.</del> <u>Saturday</u> preceding Memorial Day through <del>Sep.</del> <u>September 30.</u>	5 trout
	<del>Oct.</del> October 1 through the <del>Fri.</del> <u>Friday</u> preceding Memorial Day. Only artificial lures with barbless hooks may be used.	0 trout

*. . . [No changes to subsections (b)(74) through (b)(169)] . . .*

**Credits**

NOTE: Authority cited: Sections 200, 205, 265, 270, 315 and 399, Fish and Game Code.  
Reference: Sections 200, 205, 265 and 270, Fish and Game Code.